

S/N 10/828,753

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-------------|---|-----------------|--------------|
| Applicant: | Jeremy Clark | Examiner: | McIntosh III |
| Serial No.: | 10/828,753 | Group Art Unit: | 1623 |
| Filed: | April 21, 2004 | Docket No.: | E7524-00042 |
| Title: | Modified Fluorinated Nucleoside Analogues | | |

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 21, 2006.

By:

Name: Joseph Bennett-Paris

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(d))

Mail Stop IDS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the item of information listed, co-pending U.S. Application No. 12/053,015, on the enclosed Form 1449 was recently filed on March 21, 2008 and is brought to the attention of the Examiner.

Applicant respectfully requests that the Examiner notes claims 6-9, 21-24, and 134 of the present application are directed toward phosphate derivatives and pending claims of co-pending U.S. Application No. 12/053,015 are directed toward phosphoramidate derivatives.

Pursuant to the provisions of M.P.E.P. 609, Applicant requests that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

In accordance with 37 C.F.R. § 1.98(a)(2)(iii), a copy of the document listed on the enclosed Form 1449 is provided for the Examiner's consideration.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicant reserves the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicant does not represent that a

reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Pursuant to 37 C.F.R. § 1.97(d)(1), a statement is submitted as certified below under 37 C.F.R. § 1.97(e)(2) by the undersigned. Additionally, pursuant to 37 C.F.R. § 1.97(d)(2), please charge the \$180.00 fee set forth in 37 C.F.R. § 1.17(p) to Duane Morris LLP Deposit Account No. 04-1679, and any additional fees or credit any overpayment.

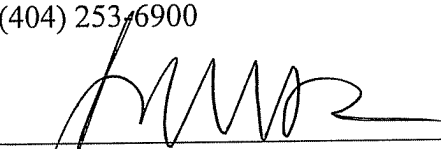
Certification Under 37 C.F.R. § 1.97(e)(2)

I hereby state that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than 3 months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

Duane Morris LLP.
1180 West Peachtree St., Suite 700
Atlanta, GA 30309-3448
(404) 253-6900

Date: May 21, 2008



Joseph Bennett-Paris
Reg. No. 47,226

